

U.S. BANKRUPTCY COURT
FILED
NEWARK, NJ

2016 DEC 28 PM 12:11
UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Last revised 8/1/15

In Re:

Marcia Paulette McPherson

BY: M Gonzalez

DEPUTY CLERK

Case No.: 16-30358

Judge: _____

Chapter: 13

Debtor(s)

Chapter 13 Plan and Motions

- | | | |
|---|---|--|
| <input type="checkbox"/> Original | <input type="checkbox"/> Modified/Notice Required | <input type="checkbox"/> Discharge Sought |
| <input type="checkbox"/> Motions Included | <input checked="" type="checkbox"/> Modified/No Notice Required | <input type="checkbox"/> No Discharge Sought |

Date: 12-28-16

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 601.00 per month to the Chapter 13 Trustee, starting on 11/16 for approximately 60 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☐ Future earnings
- ☒ Other sources of funding (describe source, amount and date when funds are available):
Social Security Benefits
Retirement Pension

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: _____

- ☐ Refinance of real property:

Description:

Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
US Trustee		\$36.00

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Bank of America	Mortgage	\$32,000.00		\$535.00	\$1554.00
GM Financial	Automobile Loan	\$1800.00		\$30.00	\$553.00

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan The following secured claims are unaffected by the Plan:		
e. Secured Claims to be Paid in Full Through the Plan:		
Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:			
<input type="checkbox"/> Not less than \$ _____ to be distributed <i>pro rata</i>			
<input checked="" type="checkbox"/> Not less than _____ 0 _____ percent			
<input type="checkbox"/> <i>Pro Rata</i> distribution from any remaining funds			
b. Separately classified unsecured claims shall be treated as follows:			
Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:		
Creditor	Nature of Contract or Lease	Treatment by Debtor

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate
☒ Upon confirmation
☐ Upon discharge

b. Payment Notices
 Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution
 The Trustee shall pay allowed claims in the following order:
 1) Trustee commissions
 2) Bank of America
 3) GM Financial
 4) _____

d. Post-Petition Claims
 The Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.
 Date of Plan being Modified: 12-28-16

Explain below why the plan is being modified: In response to the creditor Bank of America objection to the plan	Explain below how the plan is being modified: The amount payed in the plan has been changed for Bank of America to \$535.00 and for GM financial \$30.00.
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Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: _____

Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 12/28/16

Marcia McPherson
Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 8 of 8
 United States Bankruptcy Court
 District of New Jersey

In re:
 Marcia Paulette McPherson
 Debtor

Case No. 16-30358-RG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf901

Page 1 of 1
 Total Noticed: 20

Date Rcvd: Dec 28, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 30, 2016.

db
 516485548 +Marcia Paulette McPherson, 574 Selfmaster Parkway, Union, NJ 07083-9027
 +AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853,
 Arlington, TX 76096-3853
 516462602 +Capital One, PO Box 30285, Salt Lake City, UT 84130-0285
 516462592 Citi Financial, 13202 US Highway 1, Suite 555, Juno Beach, FL 33408
 516462594 +Convergent/PSEG Services Corp, 800 SW 39th ST/PO Box 9004, Renton, WA 98057-9004
 516462593 +Convergent/Sprint, 800 SW 39th ST/PO Box 9004, Renton, WA 98057-9004
 516462596 Ginny's, PO Box 2825, Monroe, WI 53566-8025
 516537955 +Ginny's, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
 516462598 +HSBC Card Services, 2700 Snelling Ave. N. Ste. 250, Roseville, MN 55113-1783
 516462605 +New York & Company, PO Box 182273, Columbus, Ohio 43218-2273
 516462601 +Progressive Garden State Ins, 725 Canton St, Norwood, MA 02062-2679
 516462600 +Stoneberry, 1356 Williams St., Chippewa Falls, WI 54729-1500
 516533840 +Stoneberry, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
 516462597 Verve Cardholder Services, PO Box 8099, Newark, DE 19714-8099

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Dec 28 2016 22:29:54 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Dec 28 2016 22:29:51 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516462595 E-mail/Text: creditonebknotifications@resurgent.com Dec 28 2016 22:29:13 Credit One Bank,
 PO Box 98873, Las Vegas, NV 89193-8873
 516462599 E-mail/Text: bnc-bluestem@quantum3group.com Dec 28 2016 22:30:22 Fingerhut Advantage,
 PO Box 1250, St. Cloud, MN 56395-1250
 516530644 E-mail/Text: bnc-quantum@quantum3group.com Dec 28 2016 22:29:45
 Quantum3 Group LLC as agent for, JH Portfolio Debt Equities LLC, PO Box 788,
 Kirkland, WA 98083-0788
 516537978 E-mail/Text: bnc-quantum@quantum3group.com Dec 28 2016 22:29:45
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
 TOTAL: 6

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516497738* +AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853,
 Arlington, TX 76096-3853
 516529744* +AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853,
 Arlington, TX 76096-3853

TOTALS: 0, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 30, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 28, 2016 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Deutsche Bank National Trust Company as Trustee for
 the Holders of New Century Home Equity Loan Trust, Series 2005-A, Asset Backed Pass-Through
 Certificates dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
 Marie-Ann Greenberg magecf@magtrustee.com

TOTAL: 2